

ORDINANCE NO. 99 - 33

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TEXT OF THE INTERGOVERNMENTAL COORDINATION ELEMENT (TO REVISE REGARDING INTERGOVERNMENTAL COORDINATION); PUBLIC EDUCATION ELEMENT AND LAND USE ELEMENT (TO REVISE REGARDING THE LOCATION OF PUBLIC SCHOOLS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 12, February 19, and March 12, 1999, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 30, 1999, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and

comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on June 21, 1999, the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 18, 1999, which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on August 17, 1999, the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendment to the text of the following Elements of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

- A. Intergovernmental Coordination Element**, to revise regarding Intergovernmental Coordination;
- B. Land Use Element**, to revise regarding the location of public schools;
- C. Public Education Element**, to revise regarding the location of public schools; and
- D. Amending all elements as necessary for internal consistency.**

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area

1 of Palm Beach County in conflict with any provision of this ordinance
2 are hereby repealed to the extent of such conflict.

3 Part III. Severability

4 If any section, paragraph, sentence, clause, phrase, or word of
5 this Ordinance is for any reason held by the Court to be
6 unconstitutional, inoperative or void, such holding shall not affect
7 the remainder of this Ordinance.

8 Part IV. Inclusion in the 1989 Comprehensive Plan

9 The provision of this Ordinance shall become and be made a part
10 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
11 Ordinance may be renumbered or relettered to accomplish such, and the
12 word "ordinance" may be changed to "section," "article," or any other
13 appropriate word.
14

1 Part V. Effective Date

2 The effective date of this plan amendment shall be the date a
3 final order is issued by the Department of Community Affairs or
4 Administration Commission finding the amendment in compliance in
5 accordance with Section 163.3184, Florida Statutes, whichever occurs
6 earlier. No development orders, development permits, or land uses
7 dependent on this amendment may be issued or commence before it has
8 become effective. If a final order of noncompliance is issued by the
9 Administration Commission, this amendment may nevertheless be made
10 effective by adoption of a resolution affirming its effective status,
11 a copy of which resolutions shall be sent to the Department of
12 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,
13 Tallahassee, Florida 32399-2100. **APPROVED AND ADOPTED** by the Board
14 of County Commissioners of Palm Beach County, on the 17 day of
15 August, 1999.

16 ATTEST:
17 DOROTHY H. WILKEN, Clerk

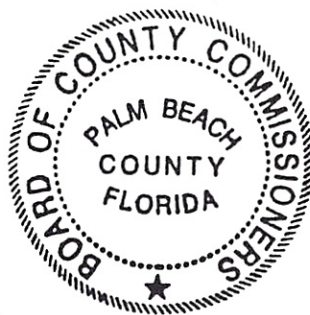
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

18 By: Jean Haring
19 Deputy Clerk

By: Mande Ford Lee
Chair

20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY

22 [Signature]
23 COUNTY ATTORNEY



24 Filed with the Department of State on the 25th day
25 of August, 1999.

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EXHIBIT 1

A. Intergovernmental Coordination Element, Intergovernmental Coordination Requirements

REVISIONS: To revise and update. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

Objective 1.1 Plan Coordination

4. **REVISED Policy 1.1-a:** The County shall actively support and participate in the Intergovernmental Coordination Program (Intergovernmental Plan Amendment Review Committee and Issue Forum) to coordinate planning activities in Palm Beach County. The membership currently includes Palm Beach County, 31 municipalities, the South Florida Water Management District, the School Board, South Indian (Trail) Water Control District, Lake Worth Drainage District, Boca Raton Airport Authority, Loxahatchee River Environmental Control District, Loxahatchee Groves Water Control District, and the North Palm Beach County Water Control District. The purpose of the Coordination program is to:

- establish an intergovernmental coordination program for review of proposed comprehensive plan amendments;
- provide a vehicle for consensus building on multi-jurisdictional issues;
- provide an opportunity for mediation and potential resolution of multi-jurisdictional conflicts; and
- share information.

All results obtained through the IPARC Process, including any written determinations received, shall be submitted as data and analysis to DCA with proposed and adopted comprehensive plan amendments.

Objective 1.1 Plan Coordination

2. **REVISED Policy 1.1-j:** The County shall coordinate on the development of campus master plans or amendments thereto, to be done in accordance with § 240.155 of the Florida Statutes, with the schools in its jurisdiction, which are a part of the State University System. Adopted campus master plans will be identified on the Future Land Use Atlas Maps.

Objective 1.3 Plan Element Coordination Needs

3. **REVISED Policy 1.3-d:** ~~By January 1999, The County shall develop a system for collaborative planning and decision making for siting facilities with countywide significance and siting locally unpopular public and private land uses whose nature and identity will be established. The collaborative system will consider the area of population served, the impact on land development patterns or important natural resources and the cost effectiveness of service delivery. Processes should recognize, or be consistent with Objective 1.3 and policies 1.3-a through 1.3-i in the Land Use Element. Coordination will be accomplished through the Palm Beach County Intergovernmental Coordination program. Palm Beach County shall utilize the Palm Beach Countywide Intergovernmental Coordination Process as a regular formal forum in which to deal with issues unique to Palm Beach County and the municipalities therein. The Multi-Jurisdictional Issues Coordination Forum shall be utilized as a means of collaborative planning for matters of interjurisdictional significance including, but not limited to the siting of facilities with countywide significance and locally unwanted land uses.~~

4. **REVISED OBJECTIVE 1.4 Annexation**

Palm Beach County shall adopt policies and implementation strategies which support municipal efforts to secure boundary changes and that maintain cost-effective service delivery, assist in the elimination of enclaves, pockets, and finger-like areas and ensure consistency between municipal and County land use.

5. **REVISED Policy 1.4-g:** The County shall work with the ~~Municipal League~~, the League of Cities, the Association of Counties and the Palm Beach Legislative Delegation to develop and support state legislation to resolve annexation issues and shall work with the Municipal League to develop charter amendments to resolve annexation problems.
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B. **Public Education Element, School Location**

DELETIONS: To delete policies related to public school location. The revisions are numbered below, and shown with the deleted text is ~~struck out~~. *Note: two associated policies are being added to the Land Use Element in another ordinance.*

OBJECTIVE 2.2 School Site Selection and Development

1. **DELETED Policy 2.2-c:** ~~As site planning for a specific facility progresses, the County, through technical collaboration, shall assist the School District in identifying funding and/or construction opportunities (including developer participation or County capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements.~~
2. **DELETED Policy 2.2-d:** ~~The County shall evaluate the ability for the co-location of public parks, public library facilities, or other public facilities as appropriate, when school sites are chosen and development plans prepared. The technical inter-relationships of Capital Improvements Programs will, in part, identify co-location/joint use opportunities.~~

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STATE OF FLORIDA, COUNTY OF PALM BEACH,
I, DOROTHY H. WILKEN, ex-officio, Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 8-17-99
DATED at West Palm Beach, FL. on 9-7-99
By Dorothy H. Wilken, Clerk

